

the defendants, and which is the subject of an underlying state court action (“The Lawsuit”).

Summonses returned executed by plaintiff indicate that Ian Gueco was served on January 30, 2020 (DE # 16), and Elizabeth and Anthony Wise were served on January 9, 2020. (DE ## 14-15.) Therefore, Ian Gueco had until February 20, 2020, to file a responsive pleading, and Elizabeth and Anthony Wise had until January 30, 2020, to file a responsive pleading. *See* Fed. R. Civ. P. 12(a)(1)(A)(I) (requiring defendant to serve answer within 21 days after being served with summons and complaint). To date, defendants have not filed any responsive pleading or appeared in this case. At plaintiff’s request, the Clerk of Court entered default against defendants on March 16, 2020. (DE # 20.) Plaintiff now seeks entry of default judgment against each of these defendants. (DE ## 21-23.) Defendants have not responded.

The court now finds that plaintiff American Family Mutual Insurance Company is entitled to default judgment against all defendants in this case.

For the foregoing reasons, the court:

1. **GRANTS** plaintiff American Family Mutual Insurance Company’s motion for default judgment against defendants Ian Gueco (DE # 23), Elizabeth Wise, (DE # 22), and Anthony Wise (DE # 21);

2. **FINDS** that the American Family Mutual Insurance Company policy of insurance identified in the Complaint for Declaratory Judgment does not cover Anthony Wise for any claims arising out of The Incident and/or The Lawsuit as alleged and described in the Complaint for Declaratory Judgment;

3. **FINDS** that American Family Mutual Insurance Company has no obligation to defend or indemnify Anthony Wise against any claims arising out of The Incident and/or The Lawsuit as alleged and described in the Complaint for Declaratory Judgment;

4. **FINDS** that American Family Mutual Insurance Company has no obligation to compromise or settle any claim arising out of The Incident and/or The Lawsuit as alleged and described in the Complaint for Declaratory Judgment;

5. **FINDS** that American Family Mutual Insurance Company has no obligation to pay or satisfy, in whole or in part, any judgment that may be rendered against Anthony Wise in any action brought against him arising out of The Incident and/or The Lawsuit as alleged and described in the Complaint for Declaratory Judgment;

6. **FINDS** that the American Family Mutual Insurance Company policy of insurance identified in the Complaint for Declaratory Judgment does not cover Elizabeth Wise for any uninsured motor vehicle claims arising out of The Incident and/or The Lawsuit as alleged and described in the Complaint for Declaratory Judgment.

7. **DIRECTS** the Clerk of Court to enter final judgment in favor of plaintiff American Family Mutual Insurance Company, and against defendants, Ian Gueco, Elizabeth Wise, and Anthony Wise.

SO ORDERED.

Date: May 22, 2020

s/James T. Moody
JUDGE JAMES T. MOODY
UNITED STATES DISTRICT COURT